

CITY OF KYLE



Notice of Regular City Council Meeting

Kyle City Hall, 100 W. Center St., Kyle,
Texas 78640

Notice is hereby given that the governing body of the City of Kyle, Texas will meet at 7:00 PM on October 18, 2016, at Kyle City Hall, 100 W. Center St., Kyle, Texas 78640, for the purpose of discussing the following agenda.

Posted this 14th day of October, 2016, prior to 7:00 p.m.

A handwritten signature in blue ink that reads "Jennifer A. Vetrano, City Secretary". The signature is written in a cursive style.

I. Call Meeting To Order

II. Approval of minutes

1. City Council Regular Meeting Minutes - September 20, 2016. ~ *Jennifer Vetrano, City Secretary*
2. City Council Regular Meeting Minutes - September 30, 2016. ~ *Jennifer Vetrano, City Secretary*

III. Citizen Comment Period with City Council

The City Council welcomes comments from Citizens early in the agenda of regular meetings. Those wishing to speak are encouraged to sign in before the meeting begins. Speakers may be provided with an opportunity to speak during this time period on any agenda item or any other matter concerning city business, and they must observe the three-minute time limit.

IV. Presentation

3. Presentation of ABA Basketball. ~ *Sylvia Gallo, Central Texas ABA*
4. Presentation on FM 2770 Stormwater. ~ *Alan Rhames, Axiom Engineers*
5. Presentation on Hays County Road Bond. ~ *Mark Jones, Hays County Commissioner*
6. Presentation on 9-1-1 and Public Safety Dispatching Services for Police, Fire & EMS in Hays County. ~ *Hays County*
7. Presentation on ESD No. 9. ~ *David Smith, Chief of San Marcos Hays County EMS*

V. Appointments

8. Appoint nominee for position on City of Kyle Ethics Commission. ~ *Shane Arabie, Council Member*
 - Silvia Torres

VI. Public Hearings

9. First of two Public Hearings regarding a petition for voluntary annexation from Lennar Homes of Texas Land and Construction, Ltd. The property is 51.48 acres of land located southwest of the intersection of FM 2770 and FM 1626. ~ *Howard J. Koontz, Director of Planning and Community Development*

- PUBLIC HEARING

VII. Consent Agenda

10. Authorize award and execution of a Purchase Order to MUSCO SPORTS LIGHTING, LLC from Oskaloosa, Iowa, in an amount not to exceed \$105,000.00 for softball field relight and controllers at softball and football fields at Gregg-Clarke Park. ~ *Kerry Urbanowicz, Director of Parks and Recreation*
11. Approve execution of a continuing disclosure agreement with Guadalupe-Blanco River Authority (GBRA) to provide information updates of reporting events through the Municipal Securities Rulemaking Board's Electronic Municipal Market Access System in association with the GBRA Contract Revenue Refunding Bonds, Series 2016. ~ *Perwez A. Moheet, CPA, Director of Finance*
12. (*Second Reading*) An ordinance amending the Code of Ordinances of the City of Kyle, Texas; amending Chapter 53 ("Zoning"), Article V ("Landscaping and Screening Requirement"). ~ *Howard J. Koontz, Director of Planning and Community Development*

Planning and Zoning Commission voted 5-0 to recommend amendment.

13. (*First Reading*) An ordinance adopting Unanimous Settlement Agreement, setting rates and establishing tariffs for the provision of natural gas service by Texas Gas Service Company, a division of One Gas, Inc., within the City of Kyle; declaring this ordinance to be a final determination of rates; requiring acceptance by Texas Gas Service Company of the rates prescribed herein; and establishing an effective date. ~ *Jerry Hendrix, Chief of Staff*
14. (*Second Reading*) An ordinance of the City of Kyle, Texas, amending the City of Kyle, Tx Code of Ordinances; amending Article II. Water and Waste Water System Generally Section 50-29, to add an exception to recover construction costs of utility lines. ~ *James R. Earp, Assistant City Manager*
15. Authorize award and execution of Purchase Order for AQUATECH

LABORATORIES, Bryan, Texas in an amount of \$36,500.00 for routine laboratory analysis for the drinking water system bacteriological samples and the permit required samples for the wastewater treatment plant. ~ *Harper Wilder, Director of Public Works*

16. Authorize award and execution of Purchase Order for PUMP SOLUTIONS, Hutto, Texas in an amount of \$30,228.00 for the replacement of two liftstation pumps at the wastewater treatment facility. ~ *Harper Wilder, Director of Public Works*
17. Authorize award and execution of Purchase Order for SHERIDAN CLEARWATER, LLC, Austin, Texas in an amount of \$330,000.00 for sludge pressing and solids disposal from sludge generated at the wastewater treatment plant. ~ *Harper Wilder, Director of Public Works*
18. Authorize award and execution of Purchase Order for NAPCO, Spring, Texas in an amount of \$182,000.00 for sodium bisulfite and bleach used in the treatment of wastewater at the wastewater treatment plant. ~ *Harper Wilder, Director of Public Works*
19. Authorize award and execution of Purchase Order for WASTEWATER TRANSPORT SERVICES, Austin, Texas in an amount of \$31,680.00 for monthly complete cleanings of the wastewater treatment plant liftstation to remove rags, grit and other debris while station remains in service. ~ *Harper Wilder, Director of Public Works*

VIII. Consider and Possible Action

20. (*First Reading*) An ordinance amending Chapter 53 (Zoning) of the City of Kyle, Texas, for the purpose of assigning original zoning to approximately 5 acres of land from Agriculture 'AG' to Retail Service District 'RS' for property located at 245 Lehman Road, in Hays County, Texas. (Tom and Lyndee Jordan - Z-16-007). ~ *Howard J. Koontz, Director of Planning and Community Development*

Planning and Zoning Commission voted 3-2 to recommend conditional approval

- PUBLIC HEARING

21. (*Second Reading*) An ordinance amending the Code of Ordinances of the City of Kyle, Texas; amending Chapter 53 ("Zoning"), Article I ("In General"), Section 53-5 ("Definitions"); and Article II ("Zoning Districts and Regulations"), Section 53-33 (I) ("Impervious Coverage"); amending Chart 2 and Associated Notes. ~ *Howard J. Koontz, Director of Planning and Community Development*

Planning and Zoning Commission voted 5-0 to recommend amendment.

22. Authorize renewal of the lease contract with COWBOY HARLEY-DAVIDSON OF AUSTIN, TEXAS, for a total of three (3) FLHP Police Electra Glide Harley-Davidson motorcycles and to extend the lease period to expire September 30, 2017, at the lease rate of \$390.00 per month for each motorcycle for a total amount not to exceed \$14,040.00 for lease payments to be made during Fiscal Year 2016-17. ~ *Jeff Barnett, Chief of Police*

23. Consider and possible action to approve a Resolution of the City Council of the City of Kyle, Texas, authorizing the acceptance of a one year grant in the amount of \$41,370.48 from the U.S. Department of Justice, Office of Justice Programs, Office of Juvenile Justice and Delinquency Prevention for the purpose of funding the Kyle Police Department's Juvenile Justice Officer full-time position for fiscal years 2016-2017; authorizing and providing matching funds in an amount not to exceed \$32,900.00 from the Kyle Police Department's approved budget for fiscal years 2016-2017; agreeing and assuring that in the event of loss or misuse of said grant funds, the city will return the total amount of funds to the Criminal Justice Division of the Office of the Governor; authorizing the City Manager to apply for, accept, reject, alter or terminate the grant on behalf of the City Council; finding and determining that the meeting at which this resolution is passed is open to the public as required by law; providing for an effective date; and making such other findings and provisions related hereto. ~ *Jeff Barnett, Chief of Police*

IX. City Manager's Report

24. Update on various capital improvement projects, road projects, building program, and/or general operational activities where no action is required. ~ *J. Scott Sellers, City Manager*
- *Council Retreat*

X. Executive Session

25. Pursuant to Chapter 551, Texas Government Code, the City Council reserves the right to convene into Executive Session(s) from time to time as deemed necessary during this meeting. The City Council may convene into Executive Session pursuant to any lawful exception contained in Chapter 551 of the Texas Government Code including any or all of the following topics.
1. Pending or contemplated litigation or to seek the advice of the City Attorney pursuant to Section 551.071.
 2. Possible purchase, exchange, lease, or value of real estate pursuant to Section 551.072.
 - Property acquisitions for road bond projects.
 3. Personnel matters pursuant to Section 551.074.
 4. Economic Development negotiations pursuant to Section 551.087.
26. Take action on items discussed in Executive Session.

XI. ADJOURN

At any time during the Regular City Council Meeting, the City Council may adjourn into an Executive Session, as needed, on any item listed on the agenda for which state law authorizes Executive Session to be held

*Per Texas Attorney General Opinion No. JC-0169; Open Meeting & Agenda Requirements, Dated January 24, 2000: The permissible responses to a general member communication at the meeting are limited by 551.042, as follows: "SEC. 551.042.

Inquiry Made at Meeting. (a) If, at a meeting of a government body, a member of the public or of the governmental body inquires about a subject for which notice has not been given as required by the subchapter, the notice provisions of this subchapter, do not apply to:(1) a statement of specific factual information given in response to the inquiry; or (2) a recitation of existing policy in response to the inquiry. (b) Any deliberation of or decision about the subject of the inquiry shall be limited to a proposal to place the subject on the agenda for a subsequent meeting."